REMARKS

Claims 1-3, 6, 15-18, 23-26, and 28-30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent Application Number 6,574,749 to Parsons (hereinafter "Parsons"). Claims 1, 3-5, 7-16, 19-28, and 30 stand rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent Number 5,909, 540 to Carter et al. (hereinafter "Carter").

For the Examiner's convenience and reference, Applicants' remarks are presented in substantially the same order in which the corresponding issues were raised in the Office Action. Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references.

Applicants thank the Examiner for the interview of May 10, 2006. As a result of the discussion, Applicants have amended claims 1, 2, 7, 15, 17, 23-25, 28 and 29 and canceled claim 16. The amendments are fully supported by the specification. Applicants have also added Figure 11 to show the policy assignment module of claims 7 and 19. In addition, Applicants have also amended paragraph 020 of the specification to reference the policy assignment module 1105 of Figure 11.

Response to rejections of claims under 35 U.S.C. § 102.

Claims 1-3, 6, 15-18, 23-26, and 28-30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Parsons. Claims 1, 3-5, 7-16, 19-28, and 30 stand rejected under 35 U.S.C. 102(b)

as being anticipated by Carter. Applicants respectfully traverse this rejection.

Claim 1 is amended with the limitations of "a memory manager configured to manage a plurality of memory blocks contained within the at least one storage device and the local memory as directed by the paging synchronization messages exchanged with a memory manager of a redundant processing node, wherein the memory manager and the redundant processing node memory manager each initiate the paging synchronization messages and wherein the memory manager and the redundant processing node memory manager continually synchronize the contents of the local memory and a local memory of the redundant processing node as each local memory is modified such that the processing node local memory and the redundant processing node local memory contain equivalent memory blocks." Claim 1 as amended. Claims 15, 23, 24 and 28 are similarly amended. The amendment is well supported by the specification, which discloses synchronizing the local memories so that each has substantially the same contents at any time. Pages 14-15, Paragraphs 42-43. Therefore the embodiment of the present invention claims equivalent, continually synchronized local memories at each processing node.

In contrast, Carter teaches distributed memory with Global RAM directors (GRB) on each node that are replicated throughout system. Carter, Col. 32, Lines 43-49. The GRBs are all *not* synchronized and equivalent so that when a node fails, processing stops and an anchor node rebuilds the GRBs for all nodes. Col. 32, Line 50 – Col. 33, Line 18. Thus Carter does not teach an *equivalent, continually synchronized* local memory at each node as claimed by the present invention. Applicants therefore assert that claims 1, 15, 23, 24, and 28 cannot be anticipated by Carter and are allowable.

In further contrast to the claimed invention, Parsons teaches a distributed shared memory that uses a lazy release consistency weak consistency memory model. Parsons, Col. 3, Lines 36-42. The distributed shared memory is consistent only at well-defined points in time. Parsons, Col. 5, Lines 18-21. Thus Parsons also does not teach an equivalent, *continually synchronized* local memory at each node as claimed by the present invention. Applicants therefore submit that claims 1, 15, 23, 24, and 28 also cannot be anticipated by Parsons and are allowable.

Claims 2, 17, 25, and 29 are also amended with the limitation "…the paging synchronization messages comprise a space request message, an allocate memory message, a release memory message, a lock request message, a read header message, a write page message, a sense request message, an allocate read message, an allocate write message, and a release pointer message." Claim 2 as amended. See also claims 17, 25, and 29. Neither Parsons nor Carter teach a sense request message. Therefore, Applicants assert that claims 2, 17, 25, and 29 are allowable.

Claim 7 is amended with the limitation "…a *typical data structure size* policy with a memory block allocation size…" Claim 7 as amended. Emphasis added. The amendment is supported by the specification, which discloses a typical data structure size based policy. Page 7, Paragraph 20. In contrast, Carter teaches a policy defined by users' extension requests. Carter, Col. 12, Lines 12-34. Applicants therefore submit that claim 7 is allowable.

As a result of the presented remarks, Applicants assert that independent claims 1, 15, 23, 24, and 28 and dependent claims 2, 7, 17, 25, and 29 are in condition for prompt allowance.

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Applicants have not specifically traversed the rejections of dependent claims 36, 8-14, 18-22, 26, 27, and 30 under 35 U.S.C. § 102(e) and 102(b), but believe those claims to be allowable for depending from allowable claims. See, *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Should additional information be required regarding the traversal of the rejections of the dependent claims enumerated above, Examiner is respectfully asked to notify Applicants of such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

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